

Message Text

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TAGS: PGOV, PEPR, CY, TU

SUBJECT: NIMETZ MEETING WITH PROFESSOR SOYSAL

1. DEPARTMENT COUNSELOR NIMETZ MET WITH TURKISH CYPRIOT
CONSTITUTIONAL ADVISER MUNTAZ SOYSAL FOR NINETY MINUTES
APRIL 27. SOYSAL WAS LUCID AND ARTICULATE IN EXPLAINING
THE CONCEPTS BEHIND TURKISH CYPRIOT PROPOSALS, AND HE GAVE
REPEATED AND FIRM ASSURANCES THAT TURKISH SIDE WAS PRE-
PARED TO BE MOST FLEXIBLE WHEN INTERCOMMUNAL NEGOTIATIONS
RESUMED. HE WAS ABLE TO ENLARGE OUR KNOWLEDGE OF THE
TERRITORIAL AND VAROSHA PROPOSALS, BUT HE DID NOT COME FOR-
WARD WITH DETAILED PRESENTATION.

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2. CONSTITUTIONAL ISSUES. NIMETZ ASKED SOYSAL HOW THE
TURKISH CYPRIOTS COULD JUSTIFY THEIR INSISTENCE ON EQUALITY
OF REPRESENTATION IN THE FUTURE CENTRAL GOVERNMENT IN LIGHT
OF THE ALMOST UNIVERSAL ACCEPTANCE OF THE CONCEPT OF ONE
MAN/ONE VOTE. AFTER INITIAL ALLUSION TO THE SYSTEM OF
REPRESENTATION IN U.S. SENATE, SOYSAL SAID THAT THE TURKISH
CYPRIOT CONSTITUTIONAL PROPOSAL WAS FOUNDED ON THE CON-
CEPT OF THE PRIMACY OF THE INDIVIDUAL AND THE OVERRIDING
NEED FOR PROTECTION OF INDIVIDUAL RIGHTS. IN THE PAST
LARGE NUMBERS OF CYPRIOTS HAD SUFFERED SIMPLY BECAUSE OF

MEMBERSHIP IN ONE COMMUNITY OR THE OTHER AND NOT THROUGH

ANY PERSONAL FAULTS OR OMISSIONS. SINCE THE INDIVIDUAL COULD BE ADEQUATELY PROTECTED ONLY IN A SYSTEM WHERE THE TWO COMMUNITIES WERE EQUALLY REPRESENTED IN COMMON INSTITUTIONS, STRICT DEMOCRATIC PRINCIPLES WOULD HAVE TO BE SET ASIDE. SOYSAL DESCRIBED HIS COROLLARY THEORETICAL CONCLUSION THAT EQUALITY OF REPRESENTATION COULD NOT BE COMBINED--AT LEAST INITIALLY--WITH A STRONG FEDERAL GOVERNMENT. BROAD CENTRAL POWERS WOULD MEAN THAT THE TURKISH CYPRIOT MINORITY WOULD BE EXERTING UNDUE INFLUENCE ON THE LIVES OF THE GREEK CYPRIOT MAJORITY; A FUNDAMENTARY FEDERAL SYSTEM, THEREFORE, CONSTITUTED PROTECTION FOR THE MAJORITY. AS MUTUAL CONFIDENCE INCREASED OVER TIME, AND AS THE FEELING GREW THAT NEITHER SIDE WAS BENT SIMPLY ON INTERFERING IN THE AFFAIRS OF THE OTHER, THEN THE POWERS OF THE FEDERAL GOVERNMENT COULD BE GRADUALLY AUGMENTED. SOYSAL NOTED THAT THE TURKISH CYPRIOT PROPOSALS WOULD ALLOW FOR A COMMON ECONOMIC SYSTEM, WHICH IT WAS FULLY UNDERSTOOD WOULD BE DOMINATED BY THE MORE NUMEROUS AND MORE ENTERPRISING GREEK CYPRIOTS. IN ORDER TO PROVIDE SAFEGUARDS FOR THE MINORITY, THE TURKISH CYPRIOTS WOULD INSIST ON EQUALITY OF REPRESENTATION IN DECISION-MAKING

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BODIES SUCH AS THE CENTRAL BANK BOARD.

3. NIMETZ ACKNOWLEDGED THAT AMERICANS, RAISED IN THE JEFFERSONIAN TRADITION, FULLY UNDERSTOOD THE TURKISH CYPRIOT DESIRE FOR SUBSTANTIAL LOCAL AUTONOMY. THE PRINCIPAL PROBLEM, AS WE SAW IT, WAS WHETHER EQUALITY OF REPRESENTATION WAS CONSONANT WITH ; PRACTICAL AND WORKABLE FEDERAL SYSTEM. SOYSAL ACKNOWLEDGED THAT EQUALITY OF REPRESENTATION WOULD CAUSE DIFFICULTIES IN THE SHORT TERM, BUT HE FIRMLY BELIEVED THAT ANY ALTERNATIVE WOULD BE MUCH WORSE. HE SAID THAT HE HAD DRAFTED A COMPLETE CONSTITUTIONAL DOCUMENT EMBODYING THESE PRINCIPLES OF EQUALITY ;ND LIMITED FEDERAL POWERS, AND THAT HIS OWN PERCEPTION WAS THAT THIS PROVIDED FOR A VIABLE SYSTEM. SOYSAL COMMENTED, HOWEVER, THAT VIABILITY WOULD IN FACT DEPEND MORE ON THE GOODWILL OF THE LEADERS OF THE TWO COMMUNITIES THAN ON THE DEGREE OF COOPERATION AT THE WORKING LEVEL.

4. NIMETZ REMARKED THAT THERE SEEMED TO BE A BROAD CONCEPTUAL GULF BETWEEN THE TWO SIDES THAT WOULD BE DIFFICULT TO BRIDGE THROUGH COMPROMISE. ASSUMING, HOWEVER, THAT THE GREEK CYPRIOTS WOULD BE PREPARED TO ACCEPT THE BASIC TURKISH CYPRIOT CONSTITUTIONAL CONCEPT, WOULD THERE BE ANY "GIVE" ON THE TURKISH CYPRIOT SIDE AS TO THE DETAILS? SOYSAL ASSERTED THAT THE TURKISH SIDE HAD ALREADY MADE A MAJOR CONCESSION IN PROVIDING FOR A SYSTEM WITH LIMITED FEDERAL POWERS, WHICH WOULD MEAN LESS TURKISH CYPRIOT

"DOMINANCE" OF THE GREEK CYPRIOT MAJORITY. IN ESSENCE, HOWEVER, THEY WERE READY TO COMPROMISE IN ALL THOSE AREAS WHERE THE FEDERAL GOVERNMENT WOULD HAVE A ROLE. SOYSAL STRESSED THAT THE TURKISH CYPRIOTS WOULD BE PREPARED TO COOPERATE FULLY IN ANY FUTURE GOVERNMENTAL STRUCTURE; THEIR INTENT WAS NOT TO BE OBSTRUCTIONIST OR TO USE ANY VETO POWER INDISCRIMINATELY.

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5. TERRITORIAL ISSUES. NIMETZ EXPRESSED DISAPPOINTMENT WITH THE TURKISH CYPRIOT PROPOSALS ON TERRITORY. HE NOTED, HOWEVER, THAT THE APRIL 26 "MILLIYET" ARTICLE SEEMED TO INDICATE THAT THE INITIAL TURKISH PROPOSAL INVOLVED A FOUR PERCENT WITHDRAWAL, MORE THAN WE HAD EARLIER UNDERSTOOD, AND THAT THE TURKS MIGHT ULTIMATELY BE READY TO YIELD A FURTHER SIX PERCENT. SOYSAL DECLINED TO DISCUSS PERCENTAGES, BUT INDICATED BROADLY ON A MEDIUM-SCALE MAP THE AREAS WHOSE CESSION THE TURKS WERE PREPARED TO DISCUSS. THESE WERE: THE ENTIRE KOKKINA ENCLAVE; A LIMITED AREA AROUND LIMNITIS; AVLONA, EXTENDING UP TO THE ROAD IMMEDIATELY NORTH OF THE VILLAGE; THE LOUROUJINA SALIENT, PERHAPS INCLUDING PYROI; A LARGE AREA AROUND AKHNA (WHICH SOYSAL DESCRIBED AS PRIME AGRICULTURAL LAND); AND THE DHERINIA SECTION UP TO THE FAMAGUSTA CITY LINE. SOYSAL EMPHASIZED TURKISH CYPRIOT READINESS TO BE FLEXIBLE AND OPEN-MINDED ON TERRITORY ONCE NEGOTIATIONS RESUMED. HE POINTED OUT THAT THE DECISION NOT TO DRAW LINES ON A MAP FOR WALDHEIM HAD BEEN BASED ON THIS VERY DESIRE TO RETAIN MAXIMUM FLEXIBILITY.

6. SOYSAL CONFIRMED THAT THE TURKISH CYPRIOTS WERE READY TO RECOGNIZE FREEDOM OF MOVEMENT AND OF SETTLEMENT IN PRINCIPLE. GREEK CYPRIOTS NOW LIVING IN THE NORTH WOULD BE PERMITTED TO REMAIN THERE, AND COULD EVEN BE JOINED BY THEIR RELATIVES FROM THE SOUTH. RECIPROCAL VISITS TO NORTH AND SOUTH WOULD BE ALLOWED, VERY POSSIBLY AS SOON AS NEGOTIATIONS GOT UNDERWAY.

7. VAROSHA. NIMETZ SAID THAT WE HAD ALSO BEEN DISAPPOINTED AT THE TURKISH CYPRIOT VAROSHA PROPOSAL. THE IMPLICATION IN THE APRIL 26 "MILLIYET" ARTICLE THAT GREEK CYPRIOTS WOULD BE ALLOWED TO RETURN TO VAROSHA AS SOON AS

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NEGOTIATIONS RESUMED WAS A STEP FORWARD, BUT THE TURKISH SIDE SHOULD RECOGNIZE THAT THIS OFFER WAS VIRTUALLY WORTHLESS IF COUPLED WITH CONTINUED TURKISH OR TURKISH CYPRIOT CONTROL. MUCH THE SAME THING HAD ALREADY BEEN REJECTED

BY THE GREEK CYPRIOTS LAST YEAR. A MORE FRUITFUL COURSE WOULD SEEM TO BE FOR DENKTASH TO APPROACH WALDHEIM AND REQUEST THAT THE AREA OF THE CITY THAT WOULD BE OPEN TO

GREEK CYPRIOT RESETTLEMENT BE PLACED INITIALLY UNDER SOME FORM OF PROVISIONAL UN ADMINISTRATION (SEE SEPTEL FOR FURTHER DISCUSSION OF THIS.)

8. NIMETZ OUTLINED TO SOYSAL THE POLITICAL PROBLEM THAT WE FACED IN THE CONGRESS. THE PREVAILING FEELING THERE WAS ONE OF STRONG DISAPPOINTMENT AT THE TURKISH CYPRIOT PROPOSALS, WHICH COULD NOT HELP BUT HAVE AN ADVERSE EFFECT ON THE ADMINISTRATION'S EFFORTS TO LIFT THE ARMS EMBARGO. WE FELT IT IMPORTANT THAT WALDHEIM CALL FOR A RESUMPTION OF TALKS, AND WE STILL BELIEVED THERE TO BE A POSSIBILITY THAT HE WOULD. HOWEVER, WALDHEIM WOULD NEED FURTHER SIGNALS FROM THE TURKISH SIDE AT LEAST ON THE TERRITORIAL AND VAROSHA ISSUES, AND FURTHER SPECIFIC EVIDENCE OF TURKISH FLEXIBILITY IN GENERAL. AS WE SAW IT, THERE WAS PROBABLY NO NEED TO DEVISE NEW PROPOSALS; IT WAS SIMPLY A QUESTION OF FURTHER CLARIFYING THE EXISTING ONES. SOYSAL RESPONDED THAT THE TURKISH SIDE HAD ALREADY SENT STRONG AND REPEATED SIGNALS THAT IT WAS READY TO NEGOTIATE IN EARNEST AND IT WAS PREPARED TO BE FULLY FLEXIBLE AS LONG AS THE FUNDAMENTALS OF A BIZONAL, BI-COMMUNAL, FEDERAL STATE WERE RESPECTED. ON THE OTHER HAND, THEY WOULD NEGOTIATE ONLY AT THE TABLE, NOT BEFORE, AND WOULD NOT RESTRUCTURE THEIR PACKAGE OF PROPOSALS. SOYSAL ADDED THAT THE TURKISH SIDE (APPARENTLY UN PERMREP TURKMEN) WOULD SHORTLY BE GIVING WALDHEIM WRITTEN ASSURANCES OF TURKISH READINESS TO NEGOTIATE IN EARNEST. (WE UNDERSTAND THAT THIS PLAN MAY NOW HAVE BEEN OVERTAKEN.)
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9. IN CLOSING, NIMETZ URGED THAT THE TURKISH SIDE CONSIDER MAKING SOME GESTURE IN THE COMING WEEKS, SUCH AS A NEW VAROSHA OFFER, THAT WOULD PROVIDE STRONG EVIDENCE OF THEIR SINCERITY AND THAT MIGHT BREAK THE CURRENT DEADLOCK. SUCH A GESTURE WOULD ALSO BE HELPFUL TO US POLITICALLY. NIMETZ NOTED THAT THERE WERE INDICATIONS THAT THE REFUGEES IN GREEK CYPRUS HAD TO SOME EXTENT BEEN RECEPTIVE TO THE TURKISH PROPOSALS, AND HE ENCOURAGED SOYSAL TO BUILD ON THESE FEELINGS IN ORDER TO APPLY INTERNAL PRESSURE ON THE GOC.

10. SOYSAL REFERRED BRIEFLY TO DISCUSSION OF THE MISSING PERSONS AND NICOSIA AIRPORT ISSUES DURING WALDHEIM'S MEETING WITH DENKTASH APRIL 19. THE SECRETARY GENERAL, HE REPORTED, HAD WELCOMED DENKTASH'S PROPOSAL THAT THE AIRPORT BE REOPENED FOR UN PURPOSES WITH EQUAL TECHNICAL REPRESENTATION FROM THE TWO SIDES, AND HAD ASKED ONE OF HIS AIDES TO FOLLOW UP ON THIS. ON THE SUBJECT OF MISSING

PERSONS, DENKTASH TOLD WALDHEIM TH;T THE TURKISH CYPRIOTS

BELIEVED IT WOULD IN PRACTICE BE DIFFICULT FOR A DISTINCT-
ION TO BE DRAWN BETWEEN PROCEDURAL AND SUBSTANTIVE ISSUES
--PRACTICALLY EVERYTHING IN THEIR VIEW WOULD BE SUB-
STANTIVE. HE REITERATED TURKISH CYPRIOT READINESS TO
ABIDE BY ICRC VOTING PRACTICES. WALDHEIM REPORTEDLY
WELCOMED THIS STATEMENT BY DENKTASH, AND ASKED THAT GORGE
FOLLOW UP.

11. SOYSAL ALSO MET APRIL 27 WITH SARBANES/BRADEMAS AND
SEPARATELY WITH SOLARZ AND HIRC STAFF MEMBERS; HE WILL
SEE CLIFFORD APRIL 28 AND WE UNDERSTAND THE TURKISH
EMBASSY HAS ARRANGED SOME PRESS CONTACTS. VANCE
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